

**CERTIFICATE OF MAILING**

I hereby certify that this TRANSMITTAL is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 18<sup>th</sup> day of May, 2004.  
Typed or Printed name of person signing this certificate:

Signed: \_\_\_\_\_

*Wendy A. Frick*  
*Wendy A. Frick*

Customer Number

**24024**

*TJW*

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:  
Gorski, et al.

Serial No.: 10/784,513

Filed: February 23, 2004

For: **GROWTH ARREST HOMEBOX  
GENE**



Examiner: Not yet assigned

Art Unit: Not yet assigned

Attorney Docket No.: 22311/04024

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Sir:

Transmitted herewith are the following:

1. Information Disclosure Statement;
2. Form PTO-1449;
3. 24 References; and
4. A Return Receipt Postcard.

It is believed that no further fee is required relating to the filing of this Information Disclosure Statement. If this is not the case, the Patent Office is hereby authorized to charge any related fee to Deposit Account No. 03-0172. A duplicate copy of this sheet is attached.

Respectfully submitted,

Date: \_\_\_\_\_

*May 18, 2004*

By: \_\_\_\_\_

*Pamela A. Docherty*  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416



CERTIFICATE OF MAILING

I hereby certify that this INFORMATION DISCLOSURE STATEMENT is being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 18<sup>th</sup> day of May, 2004.

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INFORMATION DISCLOSURE STATEMENT

Dear Sir:

The information enclosed and cited on the accompanying form PTO-1449 is hereby submitted in compliance with 37 CFR §§1.56, 1.97 and 1.98 for consideration by the Examiner in connection with the application.

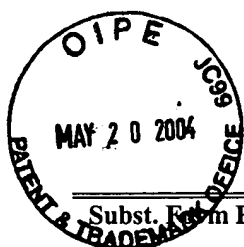
Respectfully submitted,

Date: \_\_\_\_\_

May 18, 2004

By: \_\_\_\_\_

Pamela A. Docherty  
Pamela A. Docherty, Reg. No. 40,591  
(216) 622-8416



Subst. Form PTO-1449	Atty. Docket No.: 22311/04024	Serial No.: 10/784,513
APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Applicant: Gorski, et al.	
	Filing Date: February 23, 2004	Group: Not yet assigned

## U.S. PATENT DOCUMENTS

Initial*		Document No.	Date	Name	Class	Subcl.	Filing Date
	AA	5,302,706	April 12, 1994	Smith			Nov. 2, 1992
	AB	5,856,121	January 5, 1999	Gorski, et al.			Feb. 24, 1994
	AC	6,280,969	August 28, 1991	Gorski, et al.			May 14, 1998
	AD						

## FOREIGN PATENT DOCUMENTS

		Document No.	Date	Country	Class	Subcl.	Translation?
	AE						
	AF						
	AG						
	AH						
	AI						

## OTHER PRIOR ART

	AJ	"Molecular Cloning of a Homeobox Transcription Factor from Adult Aortic Smooth Muscle" by Patel, et al., <u>The Journal of Biological Chemistry</u> , Vol. 267, No. 36, December 25, 1992, pp. 26085-26090.
	AK	"Molecular Cloning of a Diverged Homeobox Gene that is Rapidly Down-Regulated During the G <sub>0</sub> /G <sub>1</sub> Transition in Vascular Smooth Muscle Cells" by Gorski, et al., <u>Molecular and Cellular Biology</u> , Vol. 13, No. 6, June 1993, pp. 3722-3733.
	AL	"Homeobox Transcription Factor Regulation in the Cardiovascular System" by Gorski, et al., <u>TCM</u> , Vol. 3, No. 5, 1993, pp. 184-190.
	AM	"Cloning and Sequence Analysis of Homeobox Transcription Factor cDNA's with an Inosine-Containing Probe" by Gorski, et al., <u>Short Technical Reports</u> , Vol. 15, No. 5, 1994.
	AN	"The Growth Arrest-Specific Gene, <i>gas1</i> , Is Involved in Growth Suppression" by Del Sal, et al., <u>International Centre for Genetic Engineering and Biotechnology</u> , August 21, 1992, pp. 595-607.
	AO	"Cloning of Senescent Cell-Derived Inhibitors of DNA Synthesis Using an Expression Screen" by Noda, et al., <u>Experimental Cell Research</u> , 211, 1994, pp. 90-98.
	AP	"CHOP (GADD153) and its oncogenic variant, TLS-CHOP, have opposing effects on the induction of G <sub>1</sub> /S arrest" by Barone, et al., <u>Genes and Development</u> , 8, 1994, pp. 453-464.
	AQ	" <i>Mox-1</i> and <i>Mox-2</i> define a novel homeobox gene subfamily and are differentially expressed during early mesodermal patterning in mouse embryos" by Candia, et al., <u>Development</u> , 116, August 28, 1992, pp. 1123-1136.
	AR	"Arterial Gene Transfer Using Pure DNA Applied Directly to a Hydrogel-Coated Anioplasty Balloon" by Riessen, et al., <u>Human Gene Therapy</u> , 4, 1993, pp. 749-758.
	AS	"Antisense <i>c-myc</i> oligonucleotides inhibit intimal arterial smooth muscle cell accumulation <i>in vivo</i> " by Simons, et al., <u>Nature</u> , Vol. 359, September 3, 1992, pp. 67-70.

Examiner:

Date Considered:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformation with MPEP 609; draw line through citation if in conformance and not considered. Include copy of this form with next communication to applicant.

Subst. Form PTO-1449  APPLICANT'S INFORMATION DISCLOSURE STATEMENT	Atty. Docket No.: 22311/04024	Serial No.: 10/784,513
	Applicant: Gorski, et al.	
	Filing Date: February 23, 2004	Group: Not yet assigned

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	AI						

## OTHER PRIOR ART

	AJ	"Site-Specific Gene Expression in Vivo by Direct Gene Transfer into the Arterial Wall" by Nabel, et al., <u>Reports</u> , September 14, 1990, pp. 1285-1288.
	AK	"Low Level In Vivo Gene Transfer Into the Arterial Wall Through a Perforated Balloon Catheter" by Flugelman, et al., <u>Circulation</u> , Vol. 85, No. 3, March 1992, pp. 1110-1117.
	AL	"Single-step purification of polypeptides expressed in <i>Escherichia coli</i> as fusions with glutathione S-transferase" by Smith, et al., <u>Gene</u> , 67, 1988, pp. 31-40.
	AM	"Molecular Cloning and Localization of the Human <i>Gax</i> Gene to 7p21" by LePage, et al., <u>Genomics</u> , 24, 1994, pp. 535-540.
	AN	"Amino acid sequence of Mox-2 and comparison to its <i>Xenopus</i> and rat homologs" by Candia, et al., <u>Nucleic Acids Research</u> , Vol. 21, No. 21, 1993 p. 4982.
	AO	Exhibit A is the gene sequence for the rat <i>Gax</i> cDNA (2244 base pairs) submitted by Kenneth Walsh, released to the public February 28, 1993.
	AP	Exhibit B <sub>1</sub> is a gene sequence for Mox-1 (2182 base pairs) (mistakenly designated "Mox-2") submitted by A.F. Candia to New GenBank and created on September 25, 1992.
	AQ	"Exhibit B <sub>2</sub> is the same gene sequence as Exhibit B <sub>1</sub> except the former designation "Mox-2" has been corrected to read "Mox-1".
	AR	Exhibit C is the partial gene sequence for mouse Mox-2A submitted by A.F. Candia to GenBank and created on October 5, 1992.
	AS	Exhibit D is the revision of Exhibit C to show the 1440 base pair mouse Mox-2 sequence on March 6, 1993.
	AT	Computational Complexity, Protein Structure Prediction, and the Levinthal Paradox" by Ngo, et al., <i>The Protein Folding Problem and Tertiary Structure Prediction</i> , K. Merz, Jr. and S. Le Grand, Editors, Birkhäuser Boston 1994.

-Examiner:

Date Considered:

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